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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,881	06/05/2000	Mordhay Barkan		8240

7590 09/22/2008
Dinesh Agarwal Esquire
Law Office Dinesh Agarwal P C
Suite 330 5350 Shawnee Road
Alexandria, VA 22312

EXAMINER

DASS, HARISH T

ART UNIT	PAPER NUMBER
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3692

MAIL DATE	DELIVERY MODE
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09/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental
Notice of Allowability**

Application No.

09/586,881

Examiner

HARISH T. DASS

Applicant(s)

BARKAN, MORDHAY

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/3/2008.
2. ☒ The allowed claim(s) is/are 35-37 and 39-47.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>copy of attorney's fax 9/3/08</u> . |

DETAILED ACTION

1. This communication is in response to applicant Attorney's (Mr. Agarwal) communication with the Terry Melius (TQAS - AU 3600) and subsequent Mr. Agarwal's fax of Sep. 3, 2008 (attached) and telephone authorization for Examiner's Amendment to correct the priority.

This supplement allowance removes the note for improper priory (paper number 20080702 pages 2-3 title "Priority") and adds a new "Priority" paragraph.

2. Status of Claims:

Claims 1-34 and 38 are cancelled.

Claims 35-37 and 39-47 are pending and allowed.

PRIORITY

3. Please insert the following new paragraph on page 1, before line 5.

-- Cross-Reference to Related Applications

This is a continuation of International Application No. PCT/IL98/00563, filed November 19, 1998, which claims priority on Israeli Application No. 122,263, filed November 20, 1997. - -

Examiner's Amendment

4. The Examiner's amendment replaces claim 35 and claim 41 with the following amended claims. The amendment is orally authorized by the attorney of record Mr. Dinesh Agarwal subsequent to the faxing of the proposed claims (see the attached fax from Mr. Agarwal dated 6/25/08 - 4 pages total) on June 27, 2008 (telephonic authorization).

Examiner's Amendment:

-- Claim 35: A method for collecting payments in a distributed digital computerized communication environment for services provided by a third party service provider, comprising the following steps:

a. using digital tokens issued by a second party digital tokens issuer by computerized means, during a digital communication between a user and the second party, while the third party is not part of the digital communication issuing the digital tokens;

b. Acquiring by a user of digital tokens from the digital tokens issuer and storing the digital tokens in a user's token database;

c. canceling the used digital tokens from the user's tokens database, that are being used by the user according to computerized predefined criteria between the user and the digital tokens issuer, when the user uses the service provided by the third party such that there is no exchange of digital tokens between the user and the third party, wherein the digital tokens can be generated by the user himself according to a special and secure digital permit from the digital tokens issuer and according to predefined criteria in different predefined values. --

-- Claim 41: A method for monitoring the proper use, in payment for services provided by a third party, of digital tokens issued by a second arty digital tokens issuer by computerized means, comprising the following steps:

a. engaging a digital communication between a user and second party, where the third party does not take part in the communication and does not participate in any exchange of digital token with the user,

- b. The user sends to the second party a report including information relating to the digital token used and canceled by the user while using the service for which a payment by digital tokens was required;
- c. The second party maintains a database of previous reports relating to digital tokens used in the past, and the report received in step (b) is added to the database;
- d. The second party compares the information received in step (b) with previous reports for the same user;
- e. If the comparison detects a violation of the rules for the use of digital tokens, then the second party performs one or more of: stores that information, displays a violation report, reports that to the digital tokens issuer, sends a note to the user of such digital token, wherein the digital tokens can be generated by the user himself according to a special and secure digital permit from the digital tokens issuer and according to predefined criteria in different predefined values. –

Allowable Subject Matter

5. Claims 35-37 and 39-47 are pending and have been allowed.

The following is an examiner's statement of reasons for the indication of allowable subject matter allowance:

Independent claim 35 and claim 41 and their dependent claims 36-37, 39-40 and 42-47 are allowed because the closes prior art records including Hill (US 6,236,981) and Biffar (US 5,903,880) in any combination failed to teach or render obvious to one of ordinary skill in the art the following limitations:

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Claim 35 - using digital tokens issued by a second party digital tokens issuer by computerized means, during a digital communication between a user and the second party, while the third party is not part of the digital communication issuing the digital tokens; and wherein the digital tokens can be generated by the user himself according to a special and secure digital permit from the digital tokens issuer and according to predefined criteria in different predefined values.

Claim 41 - engaging a digital communication between a user and the second party, where the third party does not take part in the communication and does not participate in any exchange of digital tokens with the user; and wherein the digital tokens can be generated by the user himself according to a special and secure digital permit from the digital tokens issuer and according to predefined criteria in different predefined values.

NPL - Prior art for record ("Direct purchasing on the Internet" Jack Large. Corporate Finance. London: Mar 1997. , Iss. 148; pg. 38) Large discloses: Electronic cash payment systems enable the transfer of value with no clearing and settlement required and so are much cheaper to operate. There are two basic types of electronic cash payment system on the Internet: stored-value cards and electronic cash/coin software tokens, and Coming together on smart cards The problem with cyber wallets and electronic cash tokens is that they can be used only on the Internet and only on the specific PC where the consumer's tokens and digital authentication reside. They cannot be used in the outside world and make shopping on the Internet separate and distinct.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

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Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Abdi Kambiz can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Harish T Dass/
Primary Examiner, Art Unit 3692

9/9/08